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10/791,284

03/03/2004

Kil-soo Jung

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8962

89980

7590

09/01/2010

North Star Intellectual Property Law, PC

P.O. Box 34688

Washington, DC 20043

EXAMINER

HASAN, SYED Y

ART UNIT

PAPER NUMBER

2621

NOTIFICATION DATE

DELIVERY MODE

09/01/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

info@nsiplaw.com

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**Supplemental  
Notice of Allowability**

Application No.

10/791,284

Examiner

SYED Y. HASAN

Applicant(s)

JUNG ET AL.

Art Unit

2621

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 28 July 2010.
2. ☒ The allowed claim(s) is/are 5 - 7, 18, 19, 21, 22 and 27 - 35 (renumbered 1 - 18).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 7/28/2010
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 5 – 7, 18, 19, 21 – 24 and 27 - 35 (renumbered 1 – 18) are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:

The present invention of claims 5 – 7, 18, 19, 21 – 24 and 27 - 35 is directed to a reproducing apparatus and method includes a reproducing unit to reproduce mainstream data and sub audio data separately added in the mainstream data, wherein the reproducing unit comprises a counter used in reproducing the sub audio data.

Independent claim 5 identifies the unique distinct feature “a sub audio reproducing unit configured to reproduce sub audio data separately added into the mainstream data, using a sub audio arrival time clock which is configured to be used to depacketize the sub audio data and is independent of the mainstream arrival time clock and a sub audio system time clock which is configured to be used to decode the depacketized sub audio data and is independent of the mainstream system time clock.”

The closet prior art, Kato et al (US 2002/0145702) discloses a mainstream reproducing unit to reproduce mainstream data including still image data, using a mainstream arrival time clock which is used to depacketize the mainstream data and a mainstream system time clock which is used to decode the depacketized mainstream data (fig 96, paras 0435 to 0439 illustrates mainstream data depacketize

and decode). Yoo et al (US 7366396) discloses two clock counters in recording apparatus but not in reproducing apparatus. However Kato et al and Yoo et al fail to anticipate or render the above mentioned underlined limitations obvious.

Hence claim 5 is allowed.

Since claims 6 and 7 are dependent on claim 5, therefore they are also allowed.

Independent claim 18 identifies the unique distinct feature “a second reproducer configured to reproduce a second data stream based on second counters and the second counters comprise a second arrival time clock and second system time clock counter which are initialized based on program clock reference information in the first and second data.”

The closest prior art, Kato et al (US 2002/0145702) discloses a first reproducer reproducing a first data stream based on first counters wherein the first counters comprise a first a first system time clock counter (fig 96, paras 0435 to 0439 illustrates first system time clock counter). Yoo et al (US 7366396) discloses two clock counters in recording apparatus but not in reproducing apparatus. However Kato et al and Yoo et al fail to anticipate or render the above mentioned underlined limitations obvious.

Hence claim 18 is allowed.

Since claims 19, 21 – 24 and 27 - 30 depend on claim 18, therefore they are also allowed.

Independent claim 31 identifies the unique distinct feature “sub audio data, configured to be separately added in the mainstream data, in the form of data packets, configured to be reproduced using a sub audio arrival time clock which is configured to be used to depacketize the sub audio data and is independent of the mainstream arrival

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time clock and a sub audio system time clock which is configured to be used to decode the depacketized sub audio data and is independent of the mainstream system time clock.”

Hence claim 31 is allowed.

Independent claims 32 identifies the unique distinct feature “a second data stream in the form of data packets configured to be reproduced based on second counters and the second counters comprise a second arrival time clock and second system time clock counter included in the reproducing apparatus which are configured to be initialized based on program clock reference information in the first and second data stream.”

Hence claim 32 is allowed.

Since claims 33 - 35 dependent on claim 32, therefore they are also allowed.

Hence claim 5 – 7, 18, 19, 21 – 24 and 27 - 35 are allowed over prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SYED Y. HASAN whose telephone number is (571)270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Y. H./  
08/24/2010

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621